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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

| | | |
|---|---|---------------------------|
| ----- | X | |
| CAPITOL RECORDS, INC., a Delaware corporation, |) | |
| |) | ECF Case |
| Plaintiff, |) | 07-cv-6488 (LTS) (KNF) |
| |) | |
| - v - |) | <u>AFFIRMATION</u> |
| |) | |
| CITY HALL RECORDS, INC., a California corporation |) | |
| and ROBIN COHN, |) | |
| |) | |
| Defendants. |) | |
| ----- | X | |

JURA C. ZIBAS, ESQ., an attorney duly admitted to practice law in the courts of this State and this Federal District, affirms pursuant to 28 U.S.C. § 1746, under penalties of perjury, that the following is true and accurate to the best of my knowledge and belief:

1. I am Of Counsel to the law firm of Lewis Brisbois Bisgaard & Smith, LLP, attorneys for the Defendants herein. I submit this Affirmation in support of City Hall Records Inc. and Robin Cohn's motion, pursuant to Federal Rule of Civil Procedure 14(a), for leave to file the third-party complaint (Zibas Aff. Ex. A) seeking contribution and indemnification against Avid Ltd., Body & Soul, Comet Records, Hasmick Promotions Ltd. and Proper Music Distribution Ltd., Submarine Records, ACE Records Ltd., Acrobat Music Group Ltd., CrossCut Records, Candid Productions Ltd., Jazzology Records, Fremeaux and Associates, Trojan Records

Ltd., CDA Records Inc., Dynaflo Records, Tuff City Records, Sanctuary Records, and UK Deluxe.

2. Annexed to this Affirmation as Exhibit "A" hereto is a true copy of the proposed Third-Party Complaint.

3. Annexed to this Affirmation as Exhibit "B" hereto is a true copy of Plaintiff's Amended Complaint filed herein.

4. Annexed to this Affirmation as Exhibit "C" hereto is a true copy of the January 25, 2008 Pre-Trial Scheduling Order.

Dated: New York, New York
March 24, 2008

Respectfully submitted,

/s/ Jura C. Zibas

Jura C. Zibas (JZ 8970)

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*Attorneys for City Hall Records, Inc. and
Robin Cohn*